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DEPT FOR EUR/AGS, EUR/PGI, G/TIP, DRL/IL, INL/HSTC, AND PRM

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TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [KJUS](#) [SMIG](#) [ELAB](#) [PREL](#) [PGOV](#) [GM](#)  
SUBJECT: GERMAN FAMILY MINISTRY OFFICIALS RESPOND TO U.S.  
TIP CONCERNS

REF: A. BERLIN 2266 AND PREVIOUS

[1](#)B. BERLIN 366  
[1](#)C. BERLIN 1504

Classified By: EMIN Robert F. Cekuta for reasons 1.4 (b)  
and (d).

[1](#)1. (C) Summary: German Federal Family Ministry officials reiterated the German government's commitment to fight trafficking in persons (TIP) in an August 28 meeting with emboffs. Family Ministry representatives noted the steps German ministries and NGOs had taken to fight TIP in the context of the 2006 Soccer World Cup and were pleased that preliminary information indicates there was no significant increase in TIP in Germany because of it. The Family Ministry expects to complete its evaluation of World Cup anti-TIP public awareness campaigns and law enforcement strategies by the end of September. The Ministry also expects to submit its evaluation of the 2002 law that decriminalized certain activities related to prostitution first to the Cabinet and then to the Bundestag by late December. The Family Ministry officials reported prison sentences handed down for trafficking offenses continue to climb, despite the complex nature of cases and the difficulty of proving guilt in court. Ministry officials also stated the need for international cooperation in fighting TIP, e.g., efforts in source countries to educate populations, fight criminal groups engaged in trafficking, and improve standards of living in source countries, especially in eastern Europe. End Summary.

[1](#)2. (C) EMIN and Global Affairs officer discussed the fight against trafficking August 28 with German Federal Family Ministry Director General for Gender Equality Eva Maria Welskop-Deffaa and her deputy, Renate Augstein. Welskop-Deffaa oversees the Ministry's office for the Protection of Women from Violence, which has the German interagency lead in efforts to fight TIP. Welskop-Deffaa, who joined the Family Ministry in May 2006, previously headed the office of economic and social issues in the Central Committee of German Catholics and remains closely tied to the German Catholic Women's Association. Welskop-Deffaa said the Department's 2006 TIP Report accurately describes the scope of German action. She said Germany has devoted a great deal of attention and invested considerable effort to fighting TIP since 1997, when Germany first established a federal-state interagency anti-TIP working group.

TIP and the World Cup  
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[1](#)3. (C) Welskop-Deffaa noted as well that the International

Organization for Migration and German NGOs had found that there was no significant increase in TIP during the June - July 2006 Soccer World Cup (ref A). Welskop-Deffaa reported over 150,000 people signed anti-TIP petitions during the World Cup. The Family Ministry had provided funding to NGOs for additional victim assistance programs and financed two NGO-operated nationwide hotlines. State and local governments financed two additional regional hotlines. She credited extensive public outreach and police and Interior Ministry efforts to integrate anti-TIP measures into their overall security concepts as reasons for what appears to have been a success. Welskop-Deffaa said the German government hopes to complete its evaluation of anti-TIP measures implemented during the World Cup by the end of September.

#### Prosecuting Traffickers

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14. (C) Responding to a question about German efforts to prosecute traffickers, Augstein said sentences handed down for charges of trafficking continue to climb, despite the complex nature of trafficking cases and the difficulty of proving guilt. In order to prove a trafficking crime has been committed, Augstein said, prosecutors have to rely on victims' testimony to show the accused exploited or coerced the victim. To do that, prosecutors must first convince victims -- who have been traumatized and, she said, generally distrust authorities -- to testify against their traffickers.

Augstein argued German sentences for trafficking offenses are particularly high when compared to sentences handed down in Germany for similarly egregious crimes.

15. (C) Augstein added TIP investigations are time- and personnel-intensive and generally last at least one year. She said the Family Ministry and the German Federal Office of Criminal Investigation (BKA) share responsibility for

training police officers. Officers receive one week of training per year, which includes sessions conducted by NGOs to sensitize police to TIP victims' special needs. Augstein also noted 80 to 90 percent of traffickers are found in Germany through police raids, far more than through tips from victims and clients. She stated most TIP victims have been intimidated by their traffickers, who prey on victims' distrust of authorities by reminding them of their illegal status. Augstein said the training for police officers also focuses on detection techniques and referral of victims to counseling centers.

16. (C) Augstein said pending legislation would soon implement Council of Europe directives on residence permits for TIP victims by codifying existing regulations. The regulations stipulate granting TIP victims a four-week reflection period to decide whether or not to testify against their traffickers. The regulations also mandate that immigration officials consult with police case officers when analyzing the risks victims might face if they are returned to their countries of origin (ref B).

#### Legislation on the Status of Prostitution

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17. (C) In response to a question raising concerns about the legal status of prostitution in Germany, Welskop-Deffaa explained legislation passed in 2002 had narrowed the definition of criminal promotion of prostitution and pimping (ref C), but did not actually legalize prostitution. Prostitution has been legal in Germany for over 100 years, she added. Welskop-Deffaa said the 2002 law was a difficult but necessary compromise to improve prostitutes' legal and social situation. Pre-2002 restrictions on promoting prostitution, designed to make prostitution unattractive, had resulted in poor working conditions and other violations of prostitutes' basic rights, she continued. Welskop-Deffaa said the Family Ministry's goal was to create possibilities for women to get out of prostitution by removing the associated social stigma. She argued the 2002 law had made it easier to detect forced prostitution and created a

disincentive for brothel owners to engage in trafficking. The Family Ministry expects to submit a report on the results of the 2002 legislation, first to the Cabinet and then to the Bundestag, by the end of December. She noted as well that the Merkel Government's November 2005 coalition agreement had made fighting forced prostitution a priority.

#### The Need for International Efforts against TIP

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18. (C) Welskop-Deffaa said Germany is looking at fighting TIP in source countries, particularly in Eastern Europe, and German cooperation and assistance had focused on improving police capabilities to fight and dismantle criminal organizations involved in trafficking and raising public awareness of trafficking for purposes of sexual and labor exploitation. Welskop-Deffaa said many trafficking victims are drawn to work as prostitutes because they can earn more money faster than as secretaries or clerks. Welskop-Deffaa said German public awareness efforts in countries of origin also focus on trafficking in human organs. Welskop-Deffaa said Germany and the EU have focused on developing anti-TIP NGO networks in the former Soviet Union, which have had a harder time because they could not draw on the resources/long-term presence of faith-based organizations.

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